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Attorneys for Defendants William E. and Desiree B. Moore  
Revocable Trust; Trustees of The William E. and Desiree B. Moore  
Revocable Trust; Desiree B. Moore Revocable Trust;  
William E. Moore Marital Trust; William E. Moore  
Generation-Skipping Trust; and Desiree Moore

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

**SAN FRANCISCO AND OAKLAND DIVISION**

THOMAS FERNANDEZ, LORA SMITH and  
TOSHA THOMAS, individually and on behalf of a  
class of all other persons similarly situated,

Plaintiff,

vs.

K-M INDUSTRIES HOLDING CO., INC.; K-M  
INDUSTRIES HOLDING CO., INC. ESOP PLAN  
COMMITTEE; WILLIAM E. AND DESIREE B.  
MOORE REVOCABLE TRUST; TRUSTEES OF  
THE WILLIAM E. AND DESIREE B. MOORE  
REVOCABLE TRUST; CIG ESOP PLAN  
COMMITTEE; NORTH STAR TRUST COMPANY;  
DESIREE B. MOORE REVOCABLE TRUST;  
WILLIAM E. MOORE MARITAL TRUST;  
WILLIAM E. MOORE GENERATION-SKIPPING  
TRUST; and DESIREE MOORE, BOTH IN HER  
INDIVIDUAL CAPACITY AND AS TRUSTEE OF  
THE WILLIAM E AND DESIREE B. MOORE  
REVOCABLE TRUST'S SUCCESSOR TRUSTS  
NAMED ABOVE,

Defendants.

) Case No. C 06-07339 CW

) **WILLIAM E. AND DESIREE B.**  
) **MOORE REVOCABLE TRUST,**  
) **TRUSTEES OF THE WILLIAM E.**  
) **AND DESIREE B. MOORE**  
) **REVOCABLE TRUST, DESIREE**  
) **B. MOORE REVOCABLE TRUST,**  
) **WILLIAM E. MOORE MARITAL**  
) **TRUST, WILLIAM E. MOORE**  
) **GENERATION-SKIPPING**  
) **TRUST, AND DESIREE B.**  
) **MOORE'S ADMINISTRATIVE**  
) **MOTION TO FILE DOCUMENTS**  
) **UNDER SEAL**

) **CIVIL LOCAL RULE 79-5(d)**

Pursuant to Local Rules 7-11 and 79-5(d), Defendants William E. and Desiree B. Moore Revocable Trust, Trustees of the William E. and Desiree B. Moore Revocable Trust, Desiree B. Moore Revocable Trust, William E. Moore Marital Trust, William E. Moore Generation-Skipping Trust and Desiree B. Moore (the "Moore Trust Defendants") hereby move this Court for an Order permitting the Moore Trust Defendants to file portions of the documents attached to the Declaration of Caroline M. Walters in support of their Motion for Summary Judgment under seal. This Motion is made because Defendants K-M Industries Holding Co., Inc., K-M Industries Holding Co., Inc. ESOP Plan Committee, and CIG ESOP Plan Committee (the "KMH Defendants") designated certain materials as "confidential" under the terms of the Stipulated Protective Order entered on March 16, 2007 (Docket No. 29).

The Moore Trust Defendants have electronically filed redacted versions of the above-referenced documents. Pursuant to Local Rule 79-5(d), the Moore Trust Defendants have also lodged un-redacted versions of the documents, highlighting the sealable portions, with the Clerk of the Court. The Moore Trust Defendants will also serve the Plaintiffs, the KMH Defendants, and North Star Trust Company with un-redacted versions of the documents by email.

As the designating party, under Local Rule 79-5(d), the KMH Defendants must lodge and serve a declaration and a proposed sealing order supporting this Motion within five days. The entire documents will be made part of the public record if the KMH Defendants do not file such a declaration and proposed sealing order within five days.

DATED: June 26, 2008

HENNIGAN, BENNETT & DORMAN

By: 

Caroline M. Walters

Attorneys for Defendant

WILLIAM E. AND DESIREE B. MOORE  
REVOCABLE TRUST; TRUSTEES OF THE  
WILLIAM E. AND DESIREE B. MOORE  
REVOCABLE TRUST; DESIREE B. MOORE  
REVOCABLE TRUST; WILLIAM E. MOORE  
MARITAL TRUST; WILLIAM E. MOORE  
GENERATION-SKIPPING TRUST; and DESIREE  
B. MOORE

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